

**ARMSTRONG OBJECTORS' RESPONSE TO CLASS COUNSEL'S PROPOSED
ALLOCATION OF COMMON BENEFIT ATTORNEYS' FEES, PAYMENT OF
COMMON BENEFIT EXPENSES, AND PAYMENT OF CASE CONTRIBUTION
AWARDS TO CLASS REPRESENTATIVES**

The Armstrong Objectors file this Response to Class Counsel's Proposed Allocation of Common Benefit Attorneys' Fees, Payment of Common Benefit Expenses, and Payment of Case Contribution Awards to Class Representatives ("Proposed Allocation") (Doc. #8447), and respectfully state the following.

1. On March 1, 2017, the Armstrong Objectors filed their Fee Petition (Doc. #7230) and Supporting Memorandum of Law (with Declarations) (Doc. #7232). Thereafter, Class Counsel opposed it as part of their fee petition omnibus response brief (Doc. #7464). The Armstrong Objectors subsequently filed a Reply brief in support of their Fee Petition (Doc. #7608).¹

2. In its September 11, 2017 Order ("Order") (Doc. #8367), the Court directed Co-Lead Class Counsel, Christopher A. Seeger, to "submit a detailed submission as a proposal for the allocation of lawyers' fees among class counsel including the precise amounts to be awarded along with a justification of those amounts based on an analysis of the work performed." In response to the Court's Order, Class Counsel filed their Proposed Allocation (Doc. #8447).

3. Notwithstanding the Court's Order, however, Class Counsel did not address or analyze (much less, reference) the Armstrong Objectors' Fee Petition. For this reason, the Armstrong Objectors object to Class Counsel's Proposed Allocation as being incomplete and violating the Court's Order.

4. To the extent Class Counsel's failure to address the Armstrong Objectors' Fee Petition in the Proposed Allocation is intended to mean that Class Counsel does not propose to allocate any attorneys' fees to the Armstrong Objectors, the Armstrong Objectors object to the Proposed Allocation for the reasons set forth in their Fee Petition and related briefing. The Armstrong Objectors' fee request is imminently reasonable in light of the work performed and results

¹ The Armstrong Objectors incorporate Doc. ##7230, 7232, and 7608 (including their Counsel's declarations), by reference, as if fully stated herein.

obtained. By way of reference, Class Counsel propose to allocate \$150,000 to Counsel for the Faneca Objectors, MoloLamken/Hangley, *et al.* See Proposed Allocation (Doc. #8447) at 13-14. As detailed in their Fee Petition and related briefing, Counsel for the Armstrong Objectors performed as much, if not more, meaningful work, and achieved as much, if not more, for the Class than Faneca Objectors' Counsel. Respectfully, the Armstrong Objectors' Fee Petition should be granted.

Date: October 25, 2017

Respectfully submitted,

/s/ Richard L. Coffman
Richard L. Coffman
THE COFFMAN LAW FIRM
505 Orleans, Fifth Floor
Beaumont, Texas 77701
Telephone: (409) 833-7700
Email: rcoffman@coffmanlawfirm.com

Mitchell A. Toups
WELLER, GREEN, TOUPS & TERRELL, LLP
2615 Calder Ave., Suite 400
Beaumont, TX 77702
Telephone: (409) 838-0101
Email: matoups@wgttl.com

Jason C. Webster
THE WEBSTER LAW FIRM
6200 Savoy, Suite 150
Houston, TX 77036
Telephone: (713) 581-3900
Email: jwebster@thewebsterlawfirm.com

Mike Warner
THE WARNER LAW FIRM
101 Southeast 11th Suite 301
Amarillo, TX 79101
Telephone: (806) 372-2595
Email: mike@thewarnerlawfirm.com

**COUNSEL FOR THE
ARMSTRONG OBJECTORS**

CERTIFICATE OF SERVICE

I certify that a true copy of the Armstrong Objectors' Response to Class Counsel's Proposed Allocation of Common Benefit Attorneys' Fees, Payment of Common Benefit Expenses, and Payment of Case Contribution Awards to Class Representatives was served on all counsel of record, via the Court's ECF system, on October 25, 2017.

/s/ Richard L. Coffman
Richard L. Coffman

**COUNSEL FOR THE
ARMSTRONG OBJECTORS**